

INITIAL STUDY

PROJECT FILE NO.: GP03-03-09

PROJECT DESCRIPTION: General Plan amendment to change the Land Use/Transportation Diagram for an approximately 6.59 acre site from Residential Support for the Core Area (25+ DU/AC) to Medium Density Residential (8-16 DU/AC).

PROJECT LOCATION: The area approximately bounded by Park Avenue to the south, West San Fernando Street to the north, Los Gatos Creek to the west, and Delmas Avenue and Highway 87 to the east.

GENERAL PLAN DESIGNATION: Residential Support for the Core Area (25+ DU/AC)
ZONING: LI Light Industrial District

SURROUNDING LAND USES: Residential and commercial.

PROJECT APPLICANT'S NAME AND ADDRESS: City of San Jose 801 N. First St. Rm. 400

DETERMINATION

On the basis of this initial study:

<input type="checkbox"/>	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.
<input type="checkbox"/>	I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are included in the project, and further analysis is not required.

Date

Signature

Name of Preparer: Patrice Shaffer
Phone No.: (408) 277-4576

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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I. AESTHETICS - Would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
e) Increase the amount of shade in public and private open space on adjacent sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2

FINDINGS: Sun/shade issues may arise due to the fact that some adjacent parcels to the proposed amendment area are designated on the General Plan as Residential Support for the Core Area (25+ dwelling units per acre). Any future redevelopment which results in an adjacent high rise next to low rise single family could create shadows for neighboring properties.

MITIGATION MEASURES: Implementing the following General Plan policies would mitigate the impact described above:

- Urban Conservation Policy #2: The City should encourage new development which enhances the desirable qualities of the community and existing neighborhoods.
- Urban Design Policy #1: The City should continue to apply strong architectural and site design controls on all types of development for the protection and development of neighborhood character and for the proper transition between areas with different types of land uses.
- Urban Design Policy #8: Design solutions should be considered in the development review process which address security, aesthetics and public safety.
- Urban Design Policy #22: Design guidelines adopted by the City Council should be followed in the design of development projects.
- Residential Land Use Policy #9: When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

II. AGRICULTURE RESOURCES - Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4

FINDINGS: Any project developed on the site would be infill development. So, the proposed land use change to residential will not impact agricultural resources.

MITIGATION MEASURES: None required.

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III. AIR QUALITY - Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14

FINDINGS: The proposed land use change to residential is on an infill site and will not have an impact on air quality due to the fact that there will be a reduction in potential new housing units.

MITIGATION MEASURES: None required.

IV. BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: The change in land use to lower density land use on the already developed site will not have an impact on biological resources. However should the area be redeveloped then the adjacent Los Gatos Creek, which is identified by the city and county as a riparian corridor, could be impacted. Future redevelopment of the site will be required to conform to General Plan Goals and Policies.

Adequate setbacks from the Los Gatos Creek riparian corridor should be incorporated into the individual site plans and development proposals. Adequate setbacks will benefit the creek's vegetation and fisheries resources and allow for the construction of any future flood protection measures in this reach of Los Gatos Creek. A flood protection and maintenance easement may be required during the development review process for the site.

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MITIGATION MEASURES:

Implementing the following General Plan policies would mitigate the impact described above:

- Riparian Corridors and Upland Wetlands Policy #1: Creeks and natural riparian corridors and upland wetlands should be preserved whenever possible.
- Riparian Corridors and Upland Wetlands Policy #2: New public and private development adjacent to riparian corridors should be consistent with the provisions of the Riparian Corridor Policy Study.
- Riparian Corridors and Upland Wetlands Policy #3: New development within the Urban Service Area should be set back from the outside edge of riparian habitat (or top of bank, whichever is greater) a distance sufficient to buffer the impacts of adjacent human activities and provide avenues for wildlife dispersal.
- Riparian Corridors and Upland Wetlands Policy #4: New development should be designed to protect adjacent riparian corridors from encroachment of lighting, exotic landscaping, noise and toxic substances into the riparian zone.
- Riparian Corridors and Upland Wetlands Policy #5: When disturbances to riparian corridors and upland wetlands cannot be avoided, appropriate measures should be required to restore, or compensate for damage to, the creeks or riparian corridors.

V. CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8

FINDINGS: The subject site is located within an area of archaeological sensitivity. Additionally, some of the existing residential structures are listed on the San Jose Historic Resources Inventory. In the event that an archeological resource is discovered or an historically significant structure is affected during the development of the site, then the City's Historic, Archaeological, and Cultural Resources Goals and Policies would mitigate any impact to a less than significant level.

MITIGATION MEASURES:

Implementing the following General Plan policies would mitigate any impact to a less than significant level.

- Historic, Archaeological, and Cultural Resources Policy #1: Because historically or archeologically significant sites, structures, and districts are irreplaceable resources, their preservation should be a key consideration in the development review process.
- Historic, Archaeological and Cultural Resources Policy #4: Areas with a concentration of historically and/or architecturally significant sites or structures should be considered for preservation through the creation of Historic Preservation Districts.

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- Historic, Archaeological and Cultural Resources Policy #5: New development in proximity to designated historic landmark structures and sites should be designed to be compatible with the character of the designated historic resource.
- Historic, Archaeological, and Cultural Resources Policy #8: For proposed development sites which have been identified as archaeologically sensitive, the City should require investigation during the planning process in order to determine whether valuable archaeological remains may be affected by the project and should also require that appropriate mitigation measures be incorporated into the project design.
- Historic, Archaeological and Cultural Resources Policy #9: Recognizing that Native American burials may be encountered at unexpected locations, the City should impose a requirement on all development permits and tentative subdivision maps that upon discovery of such burials during construction, development activity will cease until professional archaeological examination and reburial in an appropriate manner is accomplished.

VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5,24
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5,24
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,24

FINDINGS: The site is currently flat. The change in land use to lower density on the already developed site will not have an impact on geology and soils. The site is located in a State Liquefaction Zone as identified by the Department of Public Works. Therefore, the soils in the area have the potential for liquefaction. In the event that strong seismic ground shaking should occur, General Plan policies would mitigate the impact to a less than significant level. Future redevelopment of the site will be required to conform to General Plan Goals and Policies.

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MITIGATION MEASURES:

Implementing the following General Plan policies would mitigate the impact described above:

- Hazards Policy #1: Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level.
- Soils and Geologic Conditions Policy #1: The City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion, and sedimentation in order to determine if these hazards can be adequately mitigated..
- Earthquakes Policy #1: The City should require that all new buildings be designed and constructed to resist stresses produced by earthquakes.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: The change in land use to lower density will not create any hazards or hazardous materials. The site is not listed on the California Environmental Protection Agency Hazardous Waste and Substances Sites List (1998). Should any of the project site be determined in the future to be contaminated, then the site will be examined further at the project development stage. Future redevelopment of the project site will be required to conform to General Plan Goals and Policies.

MITIGATION MEASURES: None required.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	15
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
d) Result in increased erosion in its watershed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
f) Substantially alter drainage patterns due to changes in runoff volumes and flow rates?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
g) Result in increased impervious surfaces and associated increased runoff as specified in the NPDES permit and the City's Post Construction Urban Runoff Management Policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
h) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17
i) Result in an increase in pollutant discharges to receiving waters such as heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17
j) Result in an increase in any pollutant for which the water body is already impaired as listed on the Clean Water Act Section 303 (d) list available from the State Water Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	15
k) Result in alteration of receiving water quality during or following construction including clarity, temperature, and level of pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
l) Substantially alter surface water quality, or marine, fresh, or wetland waters as specified in the NPDES permit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
m) Substantially alter ground water quality as specified in the NPDES permit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
n) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses as specified in the NPDES Permit, General Plan, and City policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
o) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
p) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9
q) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9
r) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
s) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

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FINDINGS: According to the Federal Insurance Rate Map (FIRM) the site is located in Zone D, an area of undetermined but possible inundation during a 100-year flood event. The inundation across the site would be up to 1-foot deep. Future development of the site will be required to conform to the requirements of the National Pollutant Discharge Elimination System (NPDES) to reduce impacts on storm water quality. A Storm Water Pollution Prevention Plan (SWPPP) will be required at the time of future development, in compliance with State regulations, to control the discharge of storm water pollutants.

The Downtown Guadalupe River Flood Protection Project is under construction and is scheduled for completion by the end of 2004. The project will not be operational unless the Lower Guadalupe River Flood Protection Project, currently scheduled for completion by the end of 2004, has also been constructed. Until the flood protection projects have been constructed and the flood plan map revised, the area will remain in flood Zone D, an area of possible but undetermined flooding. It is recommended that the first floor elevation for any buildings on the site be a minimum of 2 feet above existing ground to prevent flood damages from occurring during a flood event.

MITIGATION MEASURES:

Implementing the following General Plan policy would mitigate the impact described above:

- Flooding Policy #1: New development should be designed to provide protection from potential impacts of flooding during the "1%" or "100 year" flood.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: The proposed change in land use to the Medium Density Residential (8-16 DU/AC) is not inherently incompatible with any applicable City plans or policies. The surrounding area has an existing General Plan land use designation of Residential Support for the Core Area (25+ DU/AC). Should redevelopment occur, the proposed reduction in density could potentially be incompatible with the existing adjacent Residential Support for the Core Area (25+ DU/AC) designation on Park Avenue because a high rise building could potentially be adjacent to low rise single family residential.

MITIGATION MEASURES: Implementing the following General Plan policies would mitigate the impact described above:

- Urban Design Policy #1: The City should continue to apply strong architectural and site design controls on all types of development for the protection and development of neighborhood character and for the proper transition between areas with different types of land uses.
- Urban Design Policy #22: Design guidelines adopted by the City Council should be followed in the design of development projects.

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- Residential Land Use Policy #9: When changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, impacts on services and facilities, including schools, to the extent permitted by law, accessibility to transit facilities, and impacts on traffic levels on both neighborhood streets and major thoroughfares.

X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,23

FINDINGS: A change to lower density residential will not result in the loss of mineral resources. The proposed project is a change in the land use designation on the subject site, which is not a physical change to the site.

MITIGATION MEASURES: None required.

XI. NOISE - Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2,13
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: A change in land use to lower density residential will not create a noise impact. The site is located near a number of noise generators such as State Route 87, Interstate 280, light rail, and San Jose International Airport therefore; future residential development could be exposed to noise in excess of General Plan noise guidelines. The site is located within the projected Airport 65 CNEL noise impact area, for which residential land use is typically considered incompatible. The site is also located within the ALUC referral area for San Jose International Airport. Any future redevelopment of the site will be required to conform to the applicable San Jose 2020 General Plan noise policies.

Conditions of subsequent project approvals should ensure that residential structures are designed with sufficient noise attenuation features to meet State interior noise standards. Avigation easements should be dedicated to the City prior to issuance of building permits for development. Any future redevelopment of the site should also be referred to the ALUC for a consistency determination.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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MITIGATION MEASURES: Implementing the following General Plan policies would mitigate the impact described above:

- Noise Policy #1: The City's acceptable noise level objectives are 55 DNL as the long-range exterior noise quality level, 60 DNL as the short-range exterior noise quality level, 45 DNL as the interior noise quality level, and 76 DNL as the maximum exterior noise level necessary to avoid significant adverse health effects. These objectives are established for the City, recognizing that the attainment of exterior noise quality levels in the environs of the San Jose International Airport, the Downtown Core Area, and along major roadways may not be achieved in the time frame of this Plan. To achieve the noise objectives, the City should require appropriate site and building design, building construction and noise attenuation techniques in new residential development.
- Noise Policy #5: The City should continue to require safe and compatible land uses within the International Airport noise zone (defined by the 65 CNEL contour as set forth in State law) and should also encourage operating procedures which minimize noise.
- Transportation Policy (Aviation) #48: Development in the vicinity of airports should take into consideration the safety areas identified in Airport Land Use Commission (ALUC) policies.
- Transportation Policy (Aviation) #49: As a condition of approval of development in the vicinity of airports, the City should require aviation easement dedication.

XII. POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: The current land use designation is Residential Support for the Core (25+ DU/AC). The change to Medium Density Residential (8-16 DU/AC) would result in fewer dwelling units at the site in the future.

MITIGATION MEASURES: None required.

XIII. PUBLIC SERVICES - Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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FINDINGS: This change in General Plan designation to Medium Density Residential (8-16 Dwelling Units per Acre) would result in fewer dwelling units. Adequate municipal services are available to serve the site because it is located within an already urbanized area and any redevelopment on the site would be infill development.

MITIGATION MEASURES: None required.

XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

FINDINGS: Adequate recreational services are available to serve the site because it is located within an already urbanized area and any development on site would be infill development.

MITIGATION MEASURES: None required.

XV. TRANSPORTATION / TRAFFIC - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,19
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,18

FINDINGS: In the context of the San Jose 2020 General Plan horizon year, this project would have a less than significant traffic impact. The City of San Jose Department of Transportation analyzed the subject General Plan amendment and determined that the estimated number of p.m. peak hour trips did not exceed the exemption threshold established for the area; therefore, the change in land use would not have a traffic impact. In addition, prior to development, this project will conform to all adopted City level of service and traffic policies in order to ensure adequate traffic capacity for existing and approved development.

MITIGATION MEASURES: None required.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	21

FINDINGS: Adequate utilities and service systems are available to serve the site because it is located within an already urbanized area and any development on the site would be infill development.

MITIGATION MEASURES: None required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16

FINDINGS: The proposed project will not have a significant effect on the environment in terms of mandatory findings of significance because the site does not contain any fish, wildlife or endangered species and habitat. The subject site is located within an area of archaeological sensitivity. Additionally, some of the existing residential structures are listed on the San Jose Historic Resources Inventory. Any development proposal on the site will be required to conform to the City's Historic, Archaeological, and Cultural Resources Goals and Policies. Conformance with the San Jose 2020 General Plan Policies will reduce the identified environmental impacts to a less than significant level.

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No.: None
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. San Jose Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974